THE MADRAS LEGISLATIVE ASSEMBLY.

Wednesday, 15th December 1954.

The House met in the Assembly Chamber, Government Estate, Mount Road, at eleven of the clock, Mr. Speaker (THE HON. SRI J. SIVASHANMUGAM PILLAI) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Harassment of Harijans at Moolakaraipatti, Nanguneri taluk, Tirunelveli district.

* 437 *Q.*—SRI A. RATNAM: Will the Hon. the Minister for Finance be pleased to state—

(*a*) whether it is a fact that the house of Sri S. V. Abimannu (Harijan) was set fire to on 30th November 1954 at Moolakaraipatti, Nanguneri taluk, Tirunelveli district;

(*b*) whether it is a fact that the incident occurred on account of the refusal to shave Harijans on 6th September 1953 at barber shop conducted by Sri Subbiah Pandithan, and consequently the Harijans were harassed continuously;

(*c*) how many representations and petitions were received by Government from the Harijan residents of Moolakkaraipatti regarding this matter; and

(*d*) why the authorities have not taken any action so far against the offenders?

THE HON. SRI C. SUBRAMANIAM:—" (*a*) to (*d*) It is a fact that the house of Sri S. V. Abimannu, a resident of Moolakaraipatti, was burnt on 30th November 1954. It is not, however, true to say that the incident occurred on account of Sri Subbiah Pandithan's refusal to shave Harijans on 6th September 1953. As a matter of fact, Sri Subbiah Pandithan does not possess a licence to have a barber's shop. It is also not true to say that the Harijans were being harassed continuously.

The Government have not received any representation from the Harijan residents of Moolakaraipatti in the matter.

A case under Section 436, Indian Penal Code (mischief by fire) has been registered in the Nanguneri Police Station. The police are investigating the case."

SRI A. RATNAM:—" சார், 15 மாத காலமாக தோழர் அபிமன்னு அவர்கள் மீதும், அந்த மூலக்கரைப்பட்டி ஹரிஜனங்களின் மீதும் அங்குள்ள மற்வர் வகுப்பாரும், ரெட்டி வகுப்பாரும், பல கொடுமைகளைப் . . ."

SRI R. V. SWAMINATHAN:—" On a point of order. Sir. I think the matter is *sub judice*."

[15th December 1954

MR. SPEAKER :—" I want to know from the Hon. Minister whether the matter is *sub judice*."

THE HON. SRI C. SUBRAMANIAM :—" Sir, my information is that it is under the investigation of the Police. It is not before the Court."

MR. SPEAKER :—" Only when the matter is actually before the Court it will become *sub judice*."

SRI A. RATNAM :—" கனம் சபாநாயகர் அவர்களே, 15 மாத காலமாக அவர்களுக்கு இழைக்கப்பட்டுவரும் கொடுமைகளைப் பொறுக்காமல் அங்குள்ள ஹரிஜனங்கள் முதல் மந்திரி அவர்களுக்கும், போலீஸ் சூப்பிரண்டு அவர்களுக்கும் பல மனுக்கள் கொடுத்திருக்கிறார்கள். அவர்கள் எந்தத் தேதிகளில் கொடுத்திருக்கிறார்கள், எவ்வளவு நாட்களாக அவைகள் மேல் எந்த நடவடிக்கையும் எடுக்கப்படாமல் வைக்கப்பட்டிருக்கின்றன என்பன எல்லாவற்றையும் கனம் மந்திரி அவர்கள் தெரிவிக்க வேண்டுமென்பதோடு . . ."

MR. SPEAKER :—" நீங்கள் பிரசங்கம் செய்யாதீர்கள். கேள்வியாகப் போடுங்கள்."

SRI A. RATNAM :—" அமைச்சர் அவர்கள் இதுபற்றிய தகவல் கிடைத்த பிறகாவது தக்க நடவடிக்கை எடுப்பதற்கு ரகசியப் போலீஸ் காரர்களை அனுப்பியிருக்கிறார்களா ? இது சம்பந்தமாக மனுக்கள் பல மாதங்களுக்கு முன்பே சர்க்காருக்கு அனுப்பப்பட்டுவிட்டபோதிலும்கூட இது வரையில் அதன்பேரில் ஏன் சரியான நடவடிக்கை எடுக்கப்படவில்லை ? "

THE HON. SRI C. SUBRAMANIAM :—" I do not know whether the hon. Member is aware of the character of Sri Abhimannu. He is a history sheeted rowdy and proceedings under section 110 of the Criminal Procedure Code are being taken against him."

SRI S. VADIVELU :—" இதுமாதிரியான விஷயங்கள் அடிக்கடி சர்க்காரிடம் எடுத்துச்சொல்லப்பட்டு வந்தும்கூட இவ்விஷயங்களில் சர்க்கார் ஏன் தக்க நடவடிக்கை எடுக்காமலிருக்கிறார்கள் என்று கனம் மந்திரி அவர்கள் பதிலளிக்க வேண்டுமென்று கோருகிறேன்."

THE HON. SRI C. SUBRAMANIAM :—" Sir, I do not know what representations the hon. Member is referring to. But as far as this case is concerned I am giving out the facts."

SRI S. SWAYAMPRAKASAM :—" Sir, from the reply of the Hon. Minister it is clear that investigation is being made by the Police into the incident. I would like this point to be clarified by the Hon. Minister, namely, whether there was any investigation into the fact that a particular Harijan wanted to have a shave from the particular man who was keeping a shop and that he refused to give him a shave? Was there any investigation about this matter? "

THE HON. SRI C. SUBRAMANIAM :—" Yes, Sir. An enquiry was made with regard to that. That man is not keeping a shop at all. He is only going about and doing it privately. Therefore the question of his refusing to give a shave to the other man in the shop does not at all arise."

15th December 1954]

SRI S. RAMASAMY NAIDU :—" க்ஷவரம் செய்வது பரம்பரைத் தொழில் என்பதை இன்னும் சர்க்கார் ஒப்புக்கொள்கிருர்களா என்பதைக் கேட்க விரும்புகிறேன்." 11-10 a.m.

THE HON. SRI C. SUBRAMANIAM :—" Sir, we do not want to bar anybody doing that profession simply because it is an ancestral profession."

SRI M. JAGANNATHAN.—" May I know, Sir, whether refusal by a barber to shave a Harijan simply because he happens to be a Harijan is an offence under the Removal of Civil Disabilities Act? "

MR. SPEAKER :—" The hon. Member should know that this is not the place to get legal opinion on the matter. He can put questions relating to the privileges of Harijans."

SRI M. JAGANNATHAN :—" Sir, I am not asking legal opinion. I only want to know what action Government propose to take against the offender."

THE HON. SRI C. SUBRAMANIAM :—" No offence has been committed in this case, Sir."

SRI R. S. ARUMUGAM :—" தோழர் அபிமன்னு அவர்களின் பெயர் ரௌடி லிஸ்ட்டில் இருப்பதாக மந்திரி அவர்கள் குறிப்பிட்டார்கள். ஒருவர் பெயர் ரௌடி லிஸ்ட்டில் இருந்தால் அவருடைய வீட்டை யாரும் வந்து சாதாரணமாக தீ வைக்கலாம் என்பதுதான் முறையா என்பதைத் தெரிந்து கொள்ளவிரும்புகிறேன்."

THE HON. SRI C. SUBRAMANIAM :—" In spite of the fact that he is in that category of persons, the police are taking immediate action and they are investigating into the case."

SRI A. RATNAM :—" தோழர் அபிமன்னு அவர்கள் இலங்கையிலிருந்து திரும்பிவந்த அகதி என்பதை அமைச்சர் அவர்கள் அறிவாரா ? இந்த நாட்டில் தீண்டாமை இருந்துவந்ததன் காரணமாக இங்கிருந்து இலங்கைக்குச் சென்று, அங்கிருந்து அகதியாக வந்தவர் வீட்டுக்குத் தீ வைக்கப்பட்டிருக்கிறது. இனி அகதிகளாக வரக்கூடிய ஆயிரக் கணக்கான . . ."

THE HON. SRI C. SUBRAMANIAM :—" Sir, I do not know the other history about Sri Abhimannu. Perhaps the hon. Member seems to know much about him."

SRI V. GOPALA GOUNDER :—" In matters like these, it is usual for the parties concerned to send petitions to the local authorities concerned. When a question is received by the Government for answer before this House, will Government take necessary steps to see that they get the complaints received by the local authorities in regard to these matters and then answer questions here? "

THE HON. SRI C. SUBRAMANIAM :—" Yes, Sir. I have received the special report called for in respect of this matter and it is only on the basis of that report that I am giving my replies."

[15th December 1954

SRI P. RAMAMURTHI :—" Sir, what has the fact that this gentleman Sri Abhimannu was, according to the police, a rowdy —I am not admitting that—in the Police list got to do with the fact of the occurrence? "

THE HON. SRI C. SUBRAMANIAM :—" It is not his refusal to shave and all these things that led to the arson incident but because he is a rowdy and he has got very many enemies that this incident seems to have happened. That is why it is being enquired into, Sir."

SRI P. VENKATESHA SHOLAGAR :—" இந்தச் சம்பவம் சாதாரண ஏழை ஹரிஜன் வீட்டில் நடந்திருப்பதனால் அங்கிருக்கின்ற போலீஸ்காரர்கள் மெதுவாக நடவடிக்கை எடுத்துக்கொண்டிருக்கிறார்கள். இதேமாதிரி வசதிக்காரர்கள் வீட்டிலே நடந்திருந்தால், இன்னும் அதிகமான பேர்கள் கைது செய்யப்பட்டு போலீசாரின் அடக்குமுறைகளுக்கு ஆளாக்கப்பட்டிருப்பார்கள். இம்மாதிரியான பாகுபாடு இல்லாமல் எங்கும் ஒரே மாதிரியாக துரிதமான நடவடிக்கை எடுக்க சர்க்கார் முன்வருவார்களா ? "

THE HON. SRI C. SUBRAMANIAM :—" Sir, the allegations made by the hon. Member are completely baseless. The hon. Member should know that the case is very difficult to investigate and it is difficult to find out the culprit in an arson case because it is done surreptitiously and the culprit runs away. Considering the difficulties involved in investigating the case, I do not think we can blame the Police in this case."

SRI G. GOVINDAN :—" ஸார், கிராமங்களில் ஹரிஜனங்களுக்கு க்ஷவரம் செய்யக்கூடிய நாவிதர்கள் சக்கிலியர்களுக்கு க்ஷவரம் செய்ய மறுக்கிறார்கள். அதற்கு சர்க்கார் ஏதாவது ஏற்பாடு செய்வார்களா ? "

MR. SPEAKER :—" உங்களுடைய இந்தக் கேள்வி முதல் கேள்விக்கு சம்பந்தமில்லாமல் இருக்கிறதே ! "

SRI G. GOVINDAN :—" சம்பந்தம் இல்லாமல் இல்லை."

MR. SPEAKER :—" சம்பந்தம் இல்லை என்று நான் சொன்னால் சம்பந்தம் இல்லை தான்."

SRI S. SWAYAMPRAKASAM :—" The hon. Member only says that Chucklers were refused to be given a shave. Are the Chucklers also included in the category of Harijans? The question is about Harijans and, therefore, the hon. Member has put this question. In certain cases, the hon. Member said, Chucklers were refused a shave."

THE HON. SRI C. SUBRAMANIAM :—" Sir, even after the clarification of the question by the hon. Member, it has nothing to do with this question."

SRI M. JAGANNATHAN :—" May I know, Sir, whether the local M.L.A. Sri Sankara Reddi has had any hand in the affair? The rumour is that he fostered this incident and allowed it to grow from bad to worse."

15th December 1954]

THE HON. SRI C. SUBRAMANIAM :—" Sir, I do not know whether the hon. Member is justified in casting aspersions on another hon. Member of this House. The other hon. Member is entitled to the protection of the Chair."

MR. SPEAKER :—" Certainly."

SRI A. RATNAM:—"தோழர் அபிமன்னு அவர்கள் ஒரு ரௌடியாகவோ அல்லது K.D.-யாகவோ இருக்கலாம். ஆனால், அரசுமுத்து என்பவருக்காக மூலக்கரைப்பட்டியி லுள்ள ஹரிஜனங்கள் அத்தனை பேருக்கும் தொந்தரவுகளும் தொல்லைகளும் விளைவிக்கப்படுகின்றன. அடிபட்ட அவர்கள் மீது பொய்க் கேஸ் போடுவதும், தொந்தரவு பண்ணுவதும் நியாயமா ? போலீசார்கள்கூட அந்தக் கேசில் நடவடிக்கை எடுக்கவில்லை என்று அரசாங்கத்திற்கும் டெபுடி கலெக்டருக்கும், கலெக்டருக்கும் ஜில்லா போலீஸ் சூபரின்டெண்டுக்கும் மனுச் செய்துகொண்டிருந்தும்கூட ஒரு நடவடிக்கையும் எடுக்காததற்குக் காரணம் என்ன ?"

THE HON. SRI C. SUBRAMANIAM :—" I do not want to drag in the name of the other person, Arasamuthu. But he is also in the same category as Abhimannu."

SRI V. BALAKRISHNAN :—" Why have the Police failed to confine this shaving business to Tirunelveli and allowed it to be dragged on to the floor of this House instead of prosecuting the offender under the Removal of Civil Disabilities Act? "

THE HON. SRI C. SUBRAMANIAM :—" No offence has been committed and how can anybody be prosecuted under the Removal of Civil Disabilities Act? "

SRI R. V. SWAMINATHAN :—" Sir, since serious allegations have been made in this House even against a Member of this House and certain other communities, may I request the Hon. Minister to instruct the Police to expedite investigation into the matter and submit the report to Government so that the trouble may be averted immediately? "

THE HON. SRI C. SUBRAMANIAM :—" Sir, as far as the investigation into this arson case is concerned, it is being conducted by the Police and I do not see how it could be expedited. It has to be done in the usual course. We cannot expedite it. If the hon. Member is interested in the matter, certainly as soon as the investigations are over and as soon as further information is available with the Government, I will make the information available to him."

SRI P. RAMAMURTHI :—" A lawyer that our Hon. Finance Minister is, he ought to know that the High Court orders expeditious investigation of cases, particularly in cases where the question of grant of bail is involved, and instructs the Police to file the final charge-sheet. It should not be difficult for the Hon. Minister to direct the Police to investigate the matter expeditiously, in the same way as the High Court does."

[15th December 1954

THE HON. SRI C. SUBRAMANIAM :—" Sir, as I have already stated, cases of arson are very difficult to investigate. If we ask them to expedite investigation, they may say : 'So far no clue. Therefore the case is treated as undetected'. If we are prepared for that result, then we may ask them to expedite investigation."

SRI M. NARAYANA KURUP :—" May I know, Sir, whether this arson case occurred during the night or during the day time?"

THE HON. SRI C. SUBRAMANIAM :—" Sir, arson cases always take place during night time. I do not have the information with me about this case."

MR. SPEAKER :—" I have allowed more than fifteen minutes for this question. Now I will pass on to the other questions."

Madras State students in the training school at Podatoorpet, Chittoor district.

* 336 *Q.*—SRI M. KALYANASUNDRAM : Will the Hon. the Minister for Finance be pleased to state—

(*a*) whether any communication has been received from the Andhra Government regarding the continuance of facilities for the study in the training school at Chittoor for the students from this State;

(*b*) whether the Government have received representation to the effect that the Andhra Government are asking these students to leave the State or to approach the Madras Government for meeting the cost of the subsidy; and

(*c*) if so, the action, proposed to be taken by the Government to help these students to complete their studies?

THE HON. SRI C. SUBRAMANIAM :—" (*a*) Yes, Sir.

" (*b*) Yes, Sir.

" (*c*) This Government have agreed to pay stipends for the second year students of the training school at Podatoorpet (Chittoor district) who are natives of the State of Madras and who may not seek employment in the Andhra State and to the payment of proportionate cost towards the grant in aid that may be paid to the school for its maintenance by the Andhra State. The Government of Andhra have been requested to allow the students to complete their course and to pay the stipends in the first instance. They have also been requested to maintain the *status quo* as the school in question is situated in Tiruttani which is a disputed area."

(The hon. Member Sri Vinayakam stood up in his place.)

MR. SPEAKER :—" I think the hon. Member Sri Vinayakam is monopolising this subject." (Laughter.)